

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CR No. 18-3409 KG

TOMAS FELICIANO FRANCISCO-PEDRO,

Defendant.

MOTION TO WITHDRAW PRETRIAL MOTIONS
(DOCUMENTS 40, 41, 42 AND 43)

TOMAS FELICIANO FRANCISCO-PEDRO, Defendant, through attorney, Assistant Federal Public Defender André Poissant, moves the Court to allow the defense to withdraw from consideration Defendant's previously filed pretrial motions: Motion to Suppress Evidence and Statements (Document 40), Motion for Order for Separate Trials (Document 41), Motion for Hearing Pretrial to Determine the Admissibility of Alleged Co-Conspirator Statements (Document 42), Motion for Disclosure Confidential Informant (Document 43).

In support, he states as follows:

1. On January 8, 2019, Mr. Francisco-Pedro entered a guilty plea to an Information which renders his previously filed motions moot.
2. Assistant United States Attorneys Luis A. Martinez and Kristopher Dale Jarvis do not oppose this motion.
3. Co-Defendants Maximo Gonzalez-Sebastian and Cristian Garcia-Gutierrez did not join in Mr. Francisco-Pedro's filed pretrial motions.

WHEREFORE, Tomas Feliciano Francisco-Pedro respectfully requests the Court permit the withdrawal of the defense's pretrial motions.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER

506 S. Main, Ste. 400
Las Cruces, NM 88001
(575) 527-6930

Electronically filed 1/11/2019

/s/ André C. Poissant

Assistant Federal Public Defender
Las Cruces Office

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to the following: Luis A. Martinez and Kristopher Dale Jarvis, Assistant United States Attorneys; Ken Del Valle attorney for Cristian Garcia-Gutierrez; and Cesar Pierce-Varela attorney for Maximo Gonzalez-Sebastian.

/s/ André C. Poissant

Assistant Federal Public Defender